



**City of Bellevue
Department of Planning and Community Development
Development Services Division Staff Report**

Proposal Name: Mercer Slough Environmental Education Center

Proposal Address: 1625 118th Ave SE

Proposal Description: Increase the maximum 30 foot building height requirement to 36 feet and the maximum percentage of lot coverage from 35% to 76% in the R-15 zoning district in order to construct an expanded environmental education center while limiting intrusion into onsite sensitive areas and buffers.

File Number: 06-115389 LS

Applicant: City of Bellevue Parks and Community Services Department

Decisions Included: Administrative Variance (Process II)

Planner: Matthews Jackson, Senior Planner

State Environmental Policy Act Threshold Determination: **Exempt pursuant to WAC 197-11-800(6)(b)**

Director's Decision: **Approval**

Carol Vistellend for
Matthew A. Terry,
Director, Department of Planning and Community
Development

Application Date: May 23, 2006
Notice of Application: July 20, 2006
Bulletin Publication Date: January 11, 2007
Appeal Deadline: January 25, 2007

For information on how to appeal a proposal, visit the Permit Center at City Hall or call 455-6864 (TTY (206) 462-4636). Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

I. Project Description

The applicant is requesting a Land Use Code (LUC) Variance to increase the maximum 30 foot building height requirement to 36 feet and the maximum percentage of lot coverage for structures from 35% to 76 % in the R-15 zoning district in order to construct an expanded Mercer Slough Environmental Education Center (MSEEC). The variance will accommodate the expanded science center use while allowing the least intrusion into onsite sensitive areas and buffers. Improvements associated with the MSEEC include nine structures totaling approximately 10,000 gross square feet, converting the existing asphalt parking lot to a drop-off loop for buses and cars, constructing a central plaza and decks, and constructing a new surface parking lot to accommodate approximately 28 vehicles. The site is encumbered by a Type A wetland, slopes exceeding 40%, and small areas of landslide deposits.

The proposed development is located on a site that includes Type A wetlands and sensitive slopes which are classified as Protected Areas. Type A wetlands and slopes equal to or exceeding 40% require 50-foot primary buffers. The construction permits associated with this proposal were submitted and deemed complete prior to the effective date of the recently approved Critical Areas Ordinance. Therefore, this proposal is vested to the critical areas regulations in place on the date of building permit submittal. Pursuant to LUC 20.25H.080.B, City parks are permitted uses within Protected Areas, and all proposed construction activities must conform to performance standards outlined there. Environmental review of the education center development was completed under a separate application and a Mitigated Determination of Non-Significance (MDNS) was issued on November 30, 2006.

II. Site Description and Context

The MSEEC will be constructed on approximately 2 acres of an 18.2 acre parcel within the 320 acre Mercer Slough Nature Park. The site is located in the R-15 zoning district in the Richards Valley subarea. Properties to the west, including the majority of the MSEEC site, are natural open space containing Mercer Slough and associated wetlands. To the north is another parcel owned by the City of Bellevue Parks and Community Services Department, and to the south is an undeveloped parcel in private ownership. To the east are the Brookshire Condominiums in the R-20 zoning district and the proposed Sato office building development site in the Light Industrial zoning district.

III. Community Input on the Proposal

No public comment received.

IV. Technical Review:

The City of Bellevue Transportation Department reviewed this variance application and has no concerns with the proposal.

V. Purpose

A Variance is a mechanism by which the City may grant relief from the provisions of the Land Use Code where practical difficulty renders compliance with the provisions of that Code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property, and where the purposes of that code and of the comprehensive plan can be fulfilled.

VI. Decision Criteria:

20.30G.140 Decision Criteria for a Variance

The Director may approve or approve with modifications an application for a Variance if all of the following criteria are met:

A. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property.

Finding: Granting of the variance will not constitute a grant of special privilege inconsistent with other properties in the vicinity. As discussed in item B below, existing developed properties on the west side of 118th Avenue SE adjacent to Mercer Slough exceed maximum lot coverage requirements in their underlying zoning districts. In addition, these developments are also nonconforming to wetland buffer requirements, which will not be the case with the expanded environmental education center. The applicant's request is reasonable and consistent with the privileges provided to other properties in the vicinity. It is likely that future variances or other deviations from the strict application of the Land Use Code will be required to develop the remaining vacant lots in the vicinity.

B. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with the use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property.

Finding: The variance is necessary because of the topography of the site, the presence of a large wetland, and the nature of the proposed use at this location. The applicant is requesting modification of protected area status in order to reduce the required primary and structure setbacks for the top of a slope exceeding 40%. A Geotechnical Report prepared by Shannon & Wilson, Inc., dated April 21, 2005 provides engineering conclusions and recommendations in support of the proposed construction. Modifications of protected area status are approved with the underlying construction permits. However, it appears that based on information included in the geotechnical report, a modification is supportable. The report was intended to evaluate the subsurface conditions at the site and formulate geotechnical engineering

recommendations for use in the design of foundations systems, retaining walls, earthwork, and pavement. Their work included drilling and sampling nineteen borings, preparing descriptive field logs of the explorations, performing geotechnical laboratory tests, and conducting engineering analyses.

Building Height: The geotechnical report recommends that all elevated structures be supported on deep foundations that penetrate into the underlying undisturbed native soil. To reduce impacts to the slope and vegetation during construction, deep foundations should be small diameter driven steel pipe piles. Locating the proposed structures outside of the wetland and wetland buffer, and constructing on the slopes with pile construction to penetrate undisturbed native soils per the recommendations of the geotechnical report places a burden on some structures in meeting height requirements. In addition, to maintain a safe environment for youth programming and continuous ADA access, a continuous floor elevation of 62 feet was established for all buildings. The resulting developable footprint of proposed buildings was pushed further into the sloping portion of the site. The construction techniques require a pile structure underneath a building platform. Of the nine proposed structures, only two structures will exceed the underlying 30 foot maximum height requirement (Attachment 1). The multipurpose/classroom building has a proposed height of 35.15 feet and classroom 1 has a proposed building height of 34.2 feet.

The Land Use Code defines building height as the vertical distance measured from the average elevation of the finished grade around the building or building segment to the highest point of a flat roof, or to the mean height between the eaves and ridge of a pitched roof. The supporting pile and deck structure under the multipurpose/classroom building and classroom 1 takes up approximately 19 feet of the total building height to the finished floor (Attachment 2). The occupiable portions of the building are therefore restricted in height by the special circumstances of this lot requiring specific construction techniques.

Lot Coverage: LUC 20.20.010 requires maximum lot coverage of structures to be calculated after all protected areas and primary buffers are subtracted from gross site area. Of the 792,792 square feet (18.2 acres) of gross site area, 606,320 square feet (13.9 acres) are encumbered with wetlands and wetland buffer, and 161,843 square feet (3.7 acres) are encumbered with steep slopes and top of slope buffer. Of the remaining 24,629 square feet of land, 18,730 square feet will be covered by structures. Strict application of the code would limit structure coverage to a maximum of 7,389 square feet, however, this would not allow the site to be utilized efficiently as intended for environmental educational purposes. The proposal to construct 18,730 square feet of structures would result in approximately 2% of the gross site area covered by structure.

The lots directly north and south of the education center site are currently vacant. Developed property to north is improved with warehouse and church use in the Light Industrial (LI) zoning district. The LI zone has a maximum lot coverage requirement of 50%, however, this site appears to have lot coverage exceeding 90% once wetland and wetland buffer is subtracted from gross lot area. Likewise, the Shurgard development north of this lot appears to be developed with structures exceeding 90% in the Office Limited Business (OLB) zoning district. The maximum lot coverage requirement in the

OLB district is 35%. The Brookshire Condominium development east of the site appears to exceed 30% lot coverage in the R-15 zoning district as the site contains slopes exceeding 40% and associated primary buffers. The applicant's request is consistent with the use rights and privileges granted to other properties with similar circumstances in the vicinity.

C. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and land use district in which the subject property is located.

Finding: Buildings are designed with the lowest slope possible for roof material. Extensive preservation of existing trees will buffer views from upslope and downslope neighbors, while integrating the sustainability mission of the environmental education center with its built form. The buildings are supported by pilings, reducing the visual impact of the structure at grade and from below.

The site design avoids impacts to the wetland and its buffer and modifications to slopes are supported by professional geotechnical engineers. As proposed, the granting of this variance will not affect the public welfare and is compatible with property and other improvements in the vicinity. The applicant's request would not have a detrimental impact on the surrounding properties and is consistent with the existing development patterns of the immediate and neighboring community.

D. The variance is not inconsistent with the Comprehensive Plan.

The site is located within the Richards Valley subarea of the City of Bellevue Comprehensive Plan. The Subarea Land Use Plan designation of the site is Park/Multifamily Medium Density (P/MF-M), consistent with the R-15 zoning designation. The following policies apply to this proposal:

Policy S-RV-1: Ensure that development and site planning comply with sensitive area regulations.

Policy S-RV-2: Encourage land uses and site development that minimize the appearance of intense development.

Policy PA-15: Develop partnerships with not-for-profit organizations in planning, developing, and utilizing facilities.

Policy PA-40: Provide a nature interpretation program to increase the community's awareness, understanding, and appreciation of natural areas.

Finding: The variance request will allow the City of Bellevue, in partnership with the Pacific Science Center, the opportunity to provide improved public awareness of the natural environment while developing the site with low impact development techniques that limit disturbance, the intensity of development, and comply with applicable

sensitive area regulations.

VII. Conclusion and Decision:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, and City Code and Standard compliance reviews, the Director of Planning and Community Development does hereby **APPROVE** the variance, subject to the following conditions.

VIII. Conditions of Approval

1. **VARIANCE LIMITATION:** The Variance approval is limited to an increase in the maximum 30 foot building height requirement to 36 feet and the maximum percentage of lot coverage for structures from 35% to 76 %. All other applicable R-15 zoning district dimensional standards must be met.

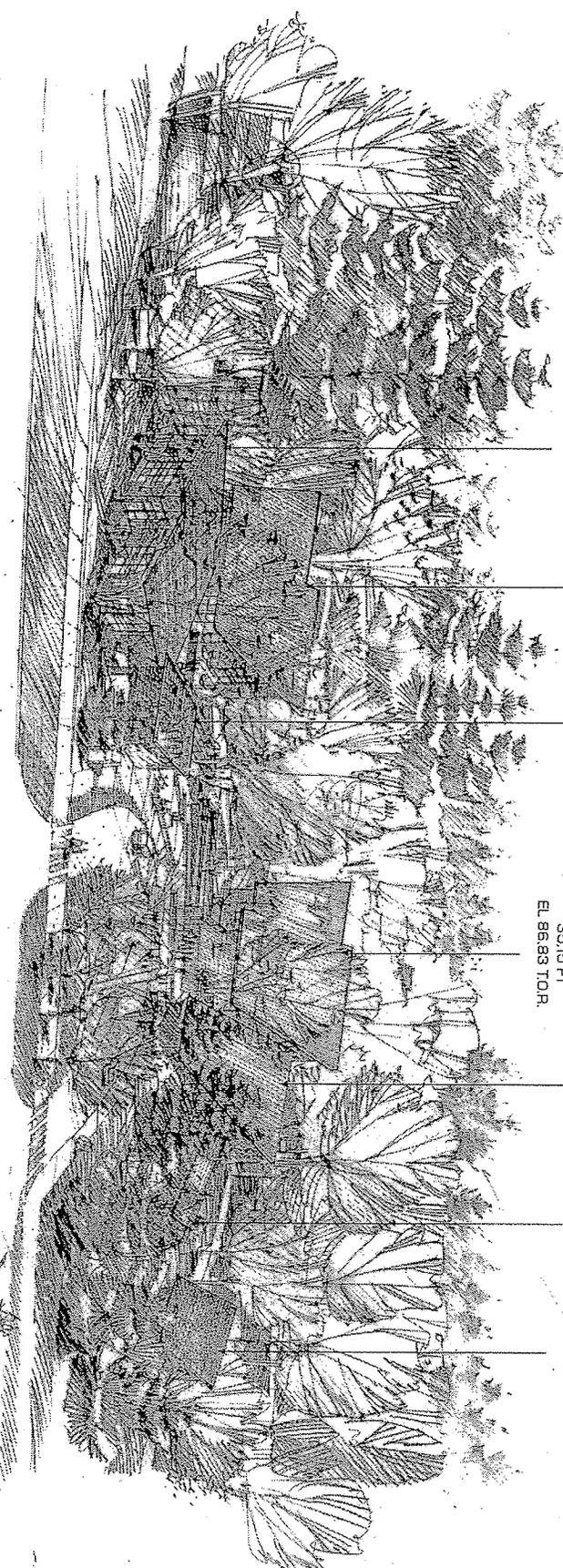
Authority: Land Use Code 20.30G.115 & 20.20.010

Reviewer: Matthews Jackson, Planning and Community Development Department

IX. List of Attachments:

1. Building Height Drawing
2. Building Elevations

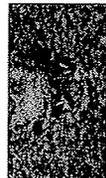
ATTACHMENT 1

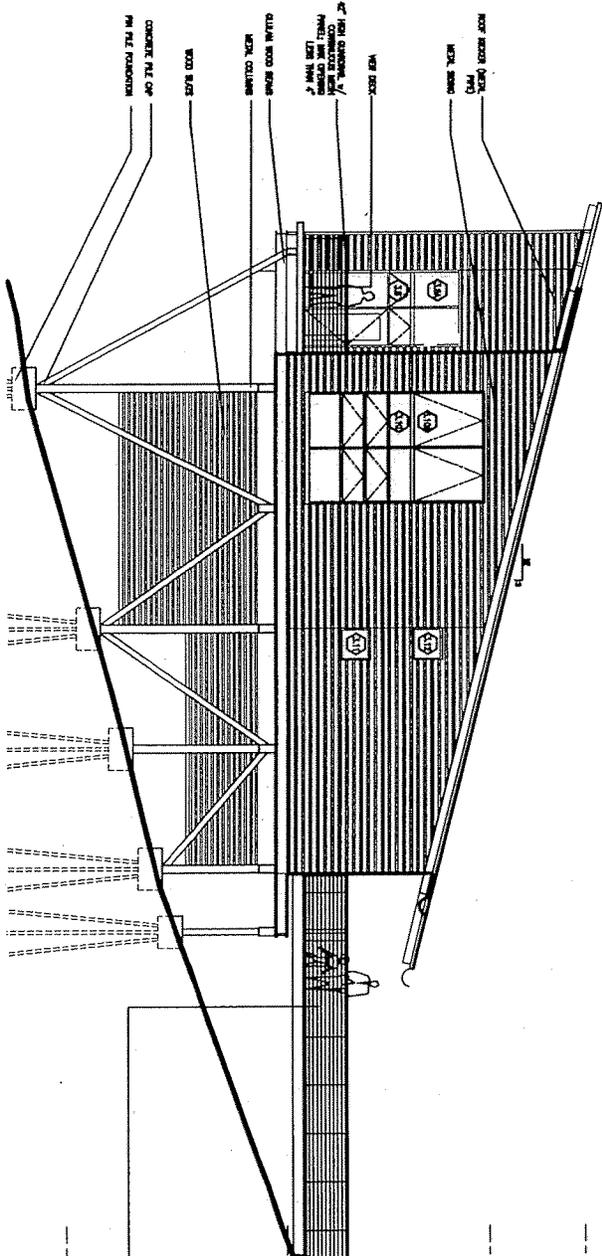


- CLASSROOM 2 &
LARGE RESTROOM
27.0 FT
EL. 85.75 T.O.R.
- CLASSROOM 1
34.2 FT
EL. 85.75 T.O.R.
- RESTROOM
15.83 FT
EL. 77.83 T.O.R.
- ADMINISTRATION
BUILDING
23.0 FT
EL. 84.85 T.O.R.
- MULTI-PURPOSE/
CLASSROOM BUILDING
35.15 FT
EL. 86.83 T.O.R.
- VISITOR CENTER
20.85 FT
EL. 83.08 T.O.R.
- WETLAB 2
23.05 FT
EL. 80.75 T.O.R.

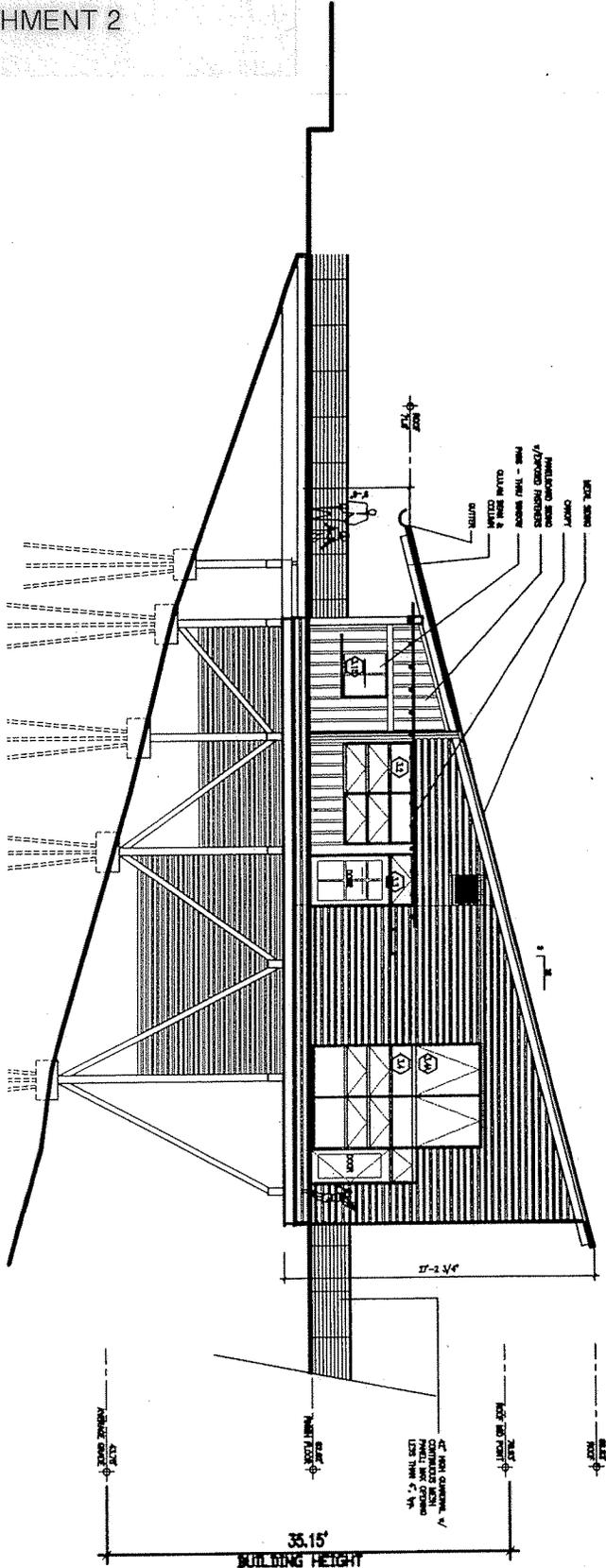
ALL BUILDING HEIGHTS INDICATED = ABOVE EXISTING GRADE
THERE WILL BE NO CHANGE TO EXISTING SITE ELEVATIONS IN THE AREA OF PROPOSED BUILDINGS.
T.O.R. = MAXIMUM ROOF ELEVATION

MERCER SLOUGH ENVIRONMENTAL EDUCATION CENTER
VIEW OF THE FACILITY LOOKING WEST FROM ABOVE 118TH AVE SE
100% DESIGN DEVELOPMENT





1 MULTIPURPOSE / CLASSROOM BUILDING: NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2 MULTIPURPOSE / CLASSROOM BUILDING: SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

METAL SIDING
 ROOF HANGERS (OVER, FWD)
 METAL SIDING
 VERT. SILLING
 VERT. SILLING
 GLASS WOOD SIDING
 METAL SIDING
 WOOD SIDING
 CONCRETE FRT. OF PM. MET. SIDING
 MET. SIDING
 HANGING SIDING
 1/2\"/>

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DATE: 12/20/2006
 100 SOUTH W. W. JONES
 509-624-5252

12/20/2006 May 2006
 ISSUED FOR PERMIT
 CONTRACT NO. 06-0000000000
 SHEET NO. A-320

MULTIPURPOSE CLASSROOM BLDG. ELEVATIONS
 A-320

NOTE: AVERAGE FINISH GRADE MATCHES AVERAGE EXISTING GRADE

